

The Liberal Struggle for Press Freedom

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The Liberal Struggle For Press Freedom

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Short abstract: In this paper, the public debate following the religion-motivated assassination of Dutch filmmaker Theo van Gogh in November 2004 is examined. The paper aims at describing religious as well as secular positions in the Danish debate about freedom of speech and press in relation to religious issues. Historically, the concept of press freedom was linked to a fight for religious freedom in London, as described by Siebert.

Introduction.....	3
History	9
Daniel Defoe	13
Submission.....	18
Method	21
Positions.....	23
The liberal position	26
Social Responsible	30
Religious-minded democrat	32
Cultural relativist	34
Fundamentalist.....	38
Nationalist	43
Theocratic extremist.....	44
Nazi	44
News Sources and opinion writers.....	44
Final remarks	48
References.....	53
In English:.....	53
Quoted Danish articles:	55

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Introduction

One of the most enduring questions in European philosophy has been that of the relation of man to God.

One position is that in relation to the creator we are all born equals with natural rights. This position has been dominate in Europe and in United States during the past centuries and is the basic understanding behind democracy and human rights - including freedom of speech and press freedom. I will call this position liberal. A well known liberal philosopher was John Stuart Mill, who in *On Liberty* (1859) wrote:

The peculiar evil of silencing the expression of an opinion is that it is robbing the human race ... If the opinion is right, they are deprived of the opportunity of exchanging error for truth; if wrong, they lose, what is almost as great a benefit, the clearer perception and livelier impression of truth produced with its collision with error (Mill 1985:76).

An opposing discourse insists that people are born unequal in their relation to God. According to this position, the rights of people depend on their position in the hierarchy. On the top of the hierarchy are the prophets who can speak directly with God and / or communicate the wishes of the crea-

tor to his fellow men in form of Holy Scriptures; the religious leaders who inherit the right to interpret the Scriptures; and monarchs who inherit the right to rule their fellow men by the grace of God. Since people in this hierarchy are unequal, it seems reasonable to listen to the leaders with the closest relationship to God. In its most fundamental form, this position makes the whole concept of democracy, freedom of speech and press freedom in the liberal form senseless. This discourse dominated in Europe for centuries as described by Siebert:

The national states of Western Europe were also undoubtedly influenced by the philosophical principles and the tradition of authoritarianism of the Church of Rome. The authority of the church is based on revelation and on its foundation by Christ. It is absolute in so far as it is of divine origin...[The church] felt obliged to ...protect the purity of its doctrines from the vacillations and inconsistencies of human opinion (Siebert et al 1956: 17).

I will call this position theocratic. A Muslim theocratic philosopher with some influence in the beginning of the 21st. century was Sayyid Qutb, who in his book *Ma'alim fil-tariq* (1964) wrote:

Islam does not allow Muslims to receive knowledge regarding the fundamentals in the faith or philosophy of life, interpretations of the Quran, the Hadith-Litterature or the life of the Prophet; interpretations of the history or historical events, social ideologies, government systems, political methods or artistic or literary ways of expression from other than Islamic sources or from Muslims, whom they trust...One must be careful when studying positive science which today we are forced to do from Western sources. One must be aware of philosophical errors that may be related to themA drop may be enough to poison the clean Islamic source totally (2004: 126, 130).¹

After the end of the Second World War the concepts of democracy, freedom of speech and freedom of press dominated in Western Europe and United States to a degree that hardly allowed for any serious questioning of the legitimacy of the liberal position. Most discussions focused on ethics that would make it possible for everybody to take part in a democracy regardless of their economic means or on how to avoid misuse of news media, such as racist propaganda. These worldly debates were reflected in

¹ Translated from Norwegian by me. See also: [http://www.youngmuslims.ca/online_library/books/milestones/ Chapter 8.](http://www.youngmuslims.ca/online_library/books/milestones/Chapter%208)

secular press theories such as social responsibility (The Commission on Freedom of the Press 1947), in the UNESCO debates about a new information order in the 1970s and 1980s (Nordenstreng and Hannikainen 1984), and in the experiments with public journalism in the 1990s (Public Journalism 2005). They were also reflected in professional ethical guidelines such as the one published by the Society of Professional Journalists in the United State and by journalist organizations in Europe; in the establishment of public service news media; and in laws prohibiting media monopolies.

However, Muslim immigrants in Europe have recently challenged the liberal view and have provoked discussions reflecting theocratic arguments well known from the struggles between liberal and authoritarian groups in London three hundred years ago (see page 38-42). Christian and Sikh groups also are increasingly fighting against the concept of absolute press freedom on religion issues (Ullerup 2004; Amsinck 2004). As in the distant past, the present fights among worldviews include assassinations and other forms of violence against people who speak freely about religion issues and question theocratic interpretations.

This paper aims at:

- 1) Describing different *religious* as well as secular positions in the European debate about freedom of speech and press in relation to religious issues.
- 2) Comparing the recent debate with the struggle for freedom of religion, speech and press approximately 300 years ago in London.

Unless otherwise indicated the term "press" is used in the broad sense of the word so that it includes not only newspapers but also television, books, films, theatre performances, Internet and other media by which citizens publicise their opinions and provoke discussions about public affairs.

Merrill (1974: 42) positioned *political* viewpoints in relation to journalistic freedom / journalistic enslavement, and a newer version of his figure was published by Mogensen (2002: 627-631). The model is reproduced as Figure 1.

Political ideologies and journalistic freedom

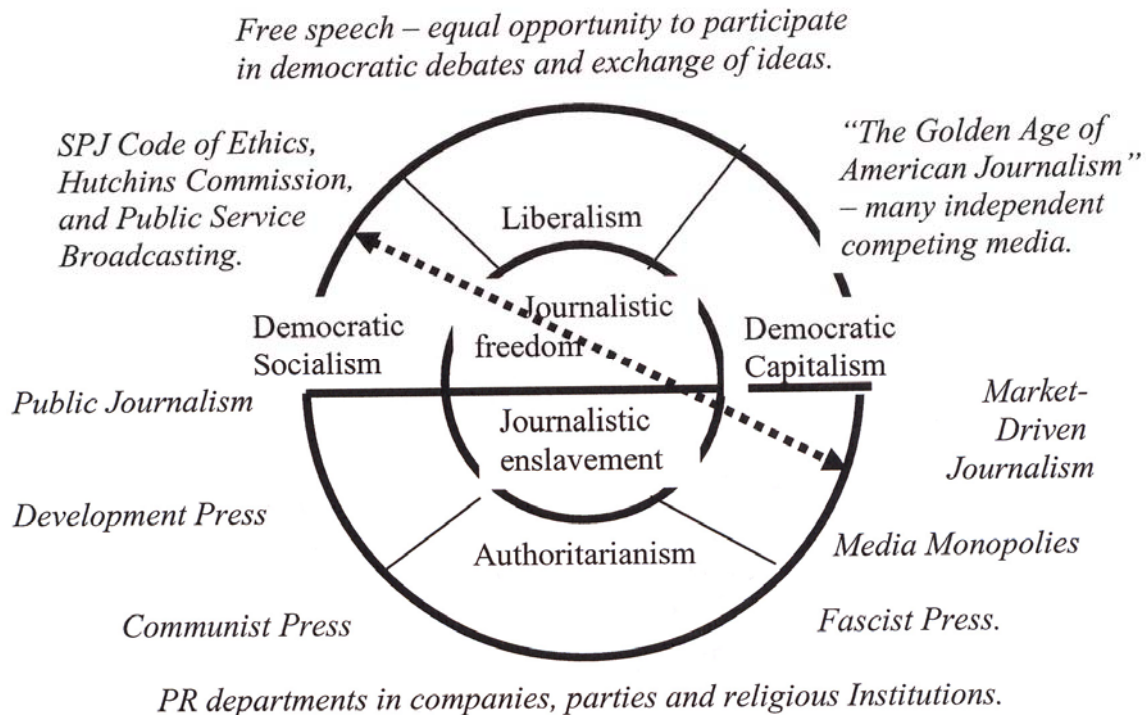


Figure 1: Secular viewpoints on press freedom. The figure (Mogensen 2002, inspired by Merrill, 1974) shows the relative freedom of journalists in a number of media ideologies. The dotted line illustrates the present conflict between journalistic values as described by professional organizations in Western democracies and those values enforced by market-driven conglomerates.

However, this figure was designed in a period not long ago when modernity had succeeded to such a degree that religious groups were not taken seriously in the Western world if they insisted on the submission of the press. Following assassinations and other forms of violence in the name of religions such insurances are taken seriously by citizens in European democracies, and we need figures that reflect the new battlefield.

I will in this paper present such a figure based on a case study of the Danish debate following the religion-motivated assassination of Dutch film filmmaker Theo van Gogh in the fall of 2004. The recent debate is especially interesting in a historical light because the concept of press freedom originally was linked to a fight for religious freedom.

History

Siebert (1965) traced the roots of press freedom as described in his book *Freedom of the Press in England 1476 - 1776: The rise and decline of government control*. Based on his study of three hundred years of English history, Siebert described three theories of the function of the press in society, particularly in relation to organized government:

- 1) The Tudor-Stuart theory was that the safety, stability, and welfare of the state depended on the crown and therefore anything that interfered with or undermined those efforts was to be suppressed or at least controlled, e.g., through licensing.
- 2) The constitution underwent a profound change in 1689. The main thinking was that Parliament was the supreme sovereign power with

no limitations on its authority. From this perspective Parliament had the sovereign power to control the press, which was subject to penalties for the abuse of its freedom, the abuse to be determined by common law and by Parliament.

- 3) Opposed to this was the view that was expressed at the end of the eighteenth century and became a generally accepted principle of operation in nineteenth century. Under this theory freedom of the press became one of the natural rights of man as derived from the law of God. This theory was expressed by Thomas Erskine, Thomas Jefferson et al.

One basic assumption to be common to all three theories is that freedom of the press is not and never can be absolute. All agree that some forms of restraint are necessary and that government has a legitimate function to define the limitations. Siebert:

All agree that it is the function of government to protect private reputations, to control to some unspecified degree the distribution of obscene matter, and to regulate to a still more vague degree publications, which undermine the basic structure of organized society. ... The principal

disagreements arise over the standards to be applied in devising and administering controls designed to protect ... the preservation of the basic structure of organized society (Siebert 1965: 9).

Siebert found that control of the press depended on the nature of the relationship between the government and the citizens, and that the more direct the accountability of the governors to the masses, the greater the freedom of the press. However, when the stresses on stability of a society and its government increased so did restrictions on press freedom. The more secure a government felt the less restraints were imposed on the press.

According to Siebert, the first reasoned arguments for a free and uncontrolled press were produced in the writings of Puritan and nonconformist thinkers such as William Walwyn, Henry Robinson, John Milton, and John Lilburne in the years 1540-1660, and the liberal fight for press freedom grew out of religious differences in the 16th century:

The most absorbing topic of public discussion in the early sixteenth century was the relation of man to God. A new theory, a new interpretation, was news of vital interest (Siebert 1965: 42).

In 1529 King Henry VIII issued his first proclamation containing a list of prohibited books and the following quote gives an indication of the nature and argument:

Certain heretical and blasphemous books lately made and privily sent into this realm by the disciples, fautors, and adherents of said Martin Luther, and other heretics, the king's subjects are likely to be corrupted, unless his highness (as Defender of the Faith) ... [prohibit any books written] against the faith catholic (Quoted in Siebert 1965:45).

Among the books prohibited in 1530 was an English translation of New Testament.

However, when Pope Clement VII in 1533 denied Henry VIII a divorce, Henry broke with the pope and made himself head of church in 1534. Although Henry VIII in this way signaled that there could be different interpretations of the Holy Scriptures, he did not allow religious debates and the Lutheran idea of a direct relationship between the individual and his creator was taboo. Siebert:

Where political freedom disappeared, dissent was crushed and toleration unknown. Henry accomplished his unusual results by appealing to his

subjects on religious grounds and using the results for political purposes.

He attacked the Church of Rome on a theological basis; he built his own church on a political foundation. ... Whereas the political situation in the sixteenth century made it possible to control the press, to the Tudors the New Learning and the Reformation made it necessary (Siebert 1965: 27).

In a proclamation in 1538 Henry VIII took control and established a regular censorship and licensing of all kinds of printing under his personal supervision. Various forms of censorship and licensing continued for 150 years to suppress dissident writings. After the revolution in 1688, other means were used to suppress dissidents such as Puritan writer Daniel Defoe, who provoked the elite with his writing about religious norms and privileges.

Daniel Defoe

Daniel Defoe (1660-1731) is one of the earliest ancestors of liberal journalism (West 1997: xiii). In his writing he fought for religious freedom

and freedom of speech, and he wrote *The Review*, which was published in London three times a week from 1704 to 1713.

This was a period in Europe with religious wars between Christian sects.

When Defoe was born, his sect– the Puritans - had just been overthrown,

so he grew up as a dissident and could not go to the best universities. In-

stead, he went with other dissidents to Dr. Charles Morton's Academy,

where the ideals were democratic rather than authoritarian and where he

was introduced to liberal political thinkers such as Locke and Milton

(West 1997: 9; Bastian 1981: 49). Defoe and his friends from Morton's

academy involved themselves in the fight for democracy and participated

in an armed fight against the Catholic king, James II. After the revolution

in 1688 the Parliament allowed some freedom of press and religion. In the

new spirit of enlightenment more people wrote and read books about such

issues as foreign countries, politics, commerce, religion and history.

Defoe used this new freedom to fight against the religious intolerance that

still existed. He was angered by public servants being required to be mem-

bers of the Church of England. Some public servants were members of the

English Church even though they believed in something else. Defoe inves-

tigated and proved those double standards. He wrote, e.g., a story in which he documented how the lord mayor of London on two Sundays went to communion in St. Paul's Cathedral, which was part of the Church of England, in the mornings and then to the dissenters' meeting in the Pinner's Hall conventicle in the afternoon. It is said that Defoe even nailed a copy of the story to the door at St. Paul's so the lord mayor could read it when he arrived (West 1997: 70).

Defoe also wrote a pamphlet called *The Shortest Way with the Dissenters*. It was ironic / sarcastic in its form, and Defoe published it anonymously. He wrote it as if he was a cleric in the English church. In the pamphlet he compared the dissenters with snakes and toads that might as well be killed right away before they did harm. Some of the most fundamentalist members of the Church of England fully supported that idea. One cleric even wrote to a friend that he joined with the author in all that he said and had such value for the book that, next to the Holy Bible and Sacred Comments, he took it for the most valuable piece he had. (Freeman 1950: 143)



Figure 2: Defoe in the pillory. Painting.

Needless to say, when these churchmen realized that the pamphlet was written by the dissident Defoe, they felt cheated and were angry. Many other people whom Defoe had offended in his previous writing joined the critics (Moore 1939) and found that Defoe's pamphlet constituted a definite danger to the public safety. Defoe spent several months in Newgate Prison and was exposed in pillory three days at different public sites in London. However, the legend says that people threw roses to Defoe in the

pillory. He was surrounded by friends who distributed Defoe's lyric *Hymn to the Pillory*, and he did not ask for mercy. He kept arguing his case.

Ten years later in a commentary in his newspaper he explained why he did not run away before he was jailed and sentenced. He said he had the opportunity, but he did not because he was sure that his cause was right. He also wrote that nothing except the truth made men brave. If a man was not sure that his cause was right and just and his principles clear, he would run away, but if truth were fundamental to him, neither jail nor pillory or dead scared him (West 1997: 199).

This story about Defoe mediates some fundamental ideals regarding journalism and press freedom. It shows that today's journalistic fight for freedom and democracy has roots from three hundred 300 years ago. It also tells us how journalists seek the truth and try to prove it in the hope that it will help change public policy to the better and that in doing so they must be courageous. Today, these values are listed in the Society of Professional Journalists' code of conduct and similar ethical codes for journalists in other democratic countries.

As mentioned previously, the fight for freedom of speech about religious opinions has for decades been regarded history in Western Europe and United States. However, since September 11, 2001, we have increasingly read about religious individuals and groups *fighting against* press freedom. The new theocrats are products of the 20th century, and in their fights they use the whole spectrum of weapons from communication on the Internet, demonstrations and political lobbying to violent attacks, threats and even religion-motivated assassinations such as the execution of Theo van Gogh.

Submission

According to press reports, Theo van Gogh, 47, was executed on a street in the middle of Amsterdam on November 2, 2004. The suspected assassin was a 26-year-old militant Dutch - Moroccan Muslim, who was arrested by police during a gunfight shortly after the assassination. The assassin placed two daggers in the body together with a letter containing quotes from the Quran. According to press reports, he belonged to a group of militant Muslims who had been involved in other terrorist activities in

Europe and the Middle East, and he had connections to the terror organisation al Qaeda (Peter Wivel 2004 A).



Figur 3: This picture was shown on <http://www.ayaanhirsiali.web-log.nl/>, March 2005.

It shows Ayaan Hirsi Ali with the main actress in *Submission* dressed in her costume as shown in the film.

Muslims were offended by van Gogh's film *Submission* (see page 38-42).

The film manuscript was written by liberal member of Parliament Ayaan

Hirsi Ali, who was born a Muslim in Somalia but lived in Holland. It

lasted 11 minutes and showed a veiled woman talking to Allah about her

frustrations in relation to men whom God had trusted to take care of her

but who misused their strength. She talked about forced marriage, rape, and violence in the name of Islam. Her black hijab and dress covered everything except her eyes, but the fabric was somewhat transparent and under the dress she was seemingly naked. Pictures of the veiled woman were mixed with pictures of a battered bride with Quran verses written on her naked shoulders.

Submission was shown on Dutch national television August 29, 2004. The following day photos of van Gogh and Hirsi Ali were placed on an Islamic home page on the Internet together with a text stating that van Gogh and Ali were evil infidels who betrayed and mocked (Ali 2004).

More than 20,000 people demonstrated in Amsterdam for freedom of speech following the murder of van Gogh (Peter Wivel 2004 B), but throughout the following ten days Holland was also choked by ethnic violence, such as several cases of arson at mosques, churches, and schools (Traynor 2004).

European Muslims condemned the murder of van Gogh, but some explained that the film was very provoking (see page 38 - 42). They suggested limitations in the freedom of speech and press when it came to is-

sues related to religion. Their proposals raised a heated debate all over Europe. Based on a case study, this paper describes how participants in the debate positioned themselves in relation to the overall topic of freedom of speech and freedom of the press in relation to religious issues.

Method

The debate in Denmark was used as a case for this study. In the small Scandinavian country with five million inhabitants, the liberal party was in government², and in the middle of November the party gave Ayaan Hirsi Ali its freedom prize. Prime Minister Anders Fogh Rasmussen said that Denmark would accept no other limitations in the freedom of speech than the criminal law (Rasmussen 2004).

The fact that the nation's head of state gave the freedom prize to Ali offended many Muslims (Pedersen 2004). They considered *Submission* blasphemous and suggested that freedom of speech should be limited, or as a minimum that a moral norm should be introduced, that would make it absolutely inappropriate to offend religious groups (See page 38-42).

² The Liberal Party formed government with the Conservative Party: Further information about the political system in Denmark: <http://www.ft.dk/?/samling/20042/menu/00000005.htm>

In the case study, 77 journalistic news reports and 94 commentaries, such as letters to the editors, writers' columns, and editors' opinions were examined systematically. All the reports and commentaries were printed in Danish national and regional newspapers between November 1 and December 27. The articles were selected from the database *Infomedia* by using the following set of search words: Ali/Submission/Theo van Gogh and freedom of speech/freedom of press and Islam.³

Various types of information were coded during the reading using the computer system Atlas ti. Based on the initial reading, an outline of the major positions was created and then aspects of the material were analyzed again in a creative process based on the principles of grounded theory (Strauss and Corbin 1998). However, general knowledge about press philosophies / ideologies / positions such as those mentioned in Figure 1 (page 8) formed a background for the examination of the empirical data. The overview presented below builds to some extent on those well known positions. It provides one of several possible ways of understanding the debate.

³ The search words are here translated into English. In Danish the words were: Ali, Submission, The van Gogh og pressefrihed, ytringsfrihed og Islam. Web address: <http://www.infomedia.dk>.

The debaters were categorized on the impression left by the way they were presented to the readers and by their statements in a given news report or commentary. One individual could speak from different positions in different articles when confronted with different opponents. For example one person could speak from a liberal position when condemning the murder of Theo van Gogh but from a religious-minded democratic position when discussing with a liberal atheist. No attempt was made to uncover the "truth" about these people because the focus of study was not the individuals but the positions as they were mediated in the newspapers.

Positions

Eight positions were located in the debate, and they are in the following called: 1) Liberal; 2) Social responsible; 3) Religious-minded democrat; 4) Cultural relativist; 5) Fundamentalist; 6) Nationalist; 7) Theocratic extremist, 8) Nazi. The borders between these positions were not fixed, and the positions may be viewed as relative positions as shown in Figure 4.

Religion and freedom of speech and press

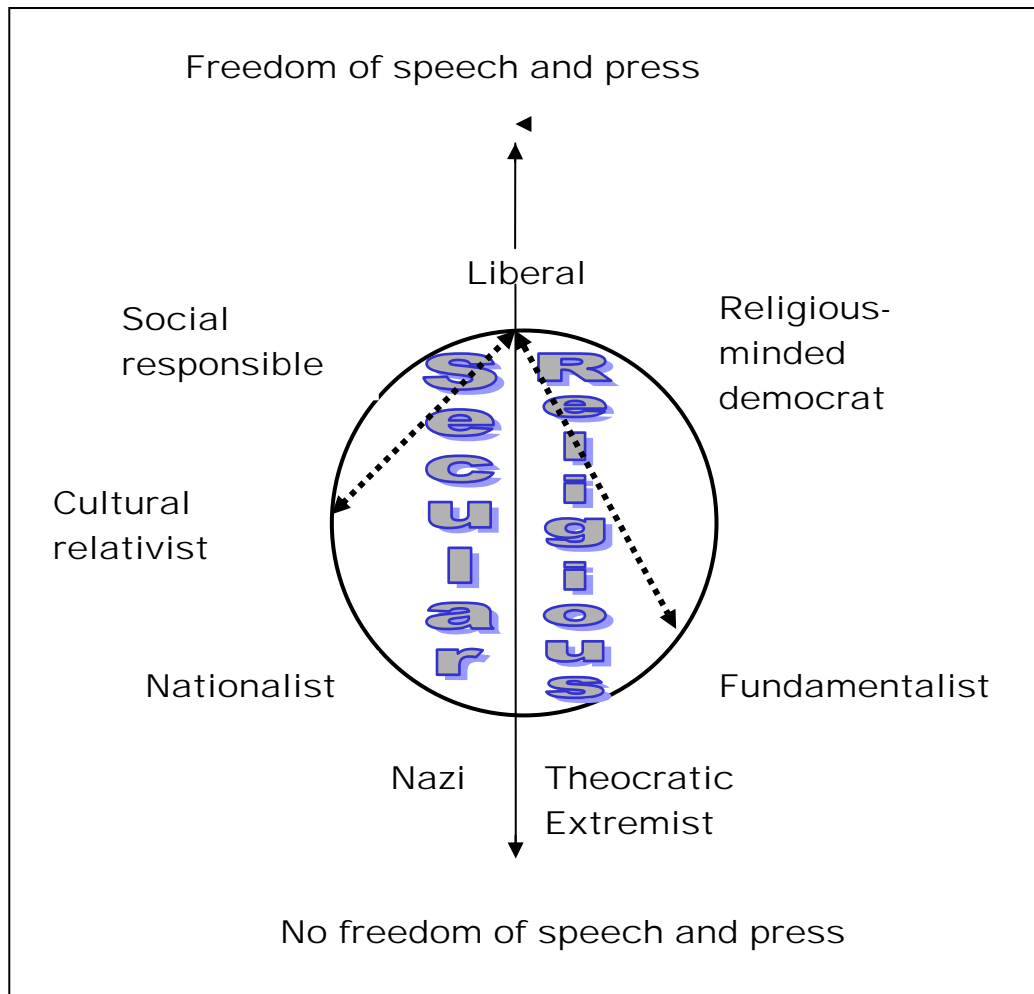


Figure 4: Eight positions in the Danish debate about freedom of speech and press following the assassination of Theo van Gogh in November 2004.

The vertical line in the center of the figure is a scale measuring the degree of freedom of press and speech. In the bottom is no freedom of press and speech; in the top is unlimited freedom of speech and press.

In the debate, nobody argued for unlimited press freedom and nobody argued for total suppression of press. The circle indicates the spectrum

within which the debate about press freedom took place. The positions to the left in the circle were based on secular / humanistic / communitarian thinking; the positions to the right were partly influenced by religious beliefs. Please note that the liberal position was shared by people arguing for the highest degree of press freedom, while there were two authoritarian positions with distinctly different views as to who should control the press. The dotted lines illustrate the major conflicts in the debate. Liberals were involved in heated debates with both fundamentalists and cultural relativists. Naturally, the true enemies of liberal press freedom were the extremists on both sides. However, supporters of these positions did not take part in the public debate in the newspapers. In other words, liberals had no chance to discuss directly with them, but participants in the debate referred to extremist positions.

Below, the positions are described on the basis of analyzed news reports and commentaries unless otherwise indicated. Names in brackets refer to debaters, who expressed a given opinion in the analysed debate. Due to limited space, only one reference is provided for most opinions even though similar opinions have been expressed by several debaters.

Quotes are translated into English by me. The systematization is partly copied from Siebert, Peterson and Schramm (1956: 7) in order to make it possible for the reader to compare with classical press theories easier. Ownership was not discussed.

The liberal position

Historical roots mentioned: Many roots were mentioned in the debate including the Greek Antic (Tandrup 2004) and several liberal philosophers such as John Locke and John Stuart Mill. Ayaan Hirsi Ali was supposedly inspired by John Stuart Mill's statement:

A man who has nothing for which he is willing to fight, nothing which is more important than his own personal safety, is a miserable creature and has no chance of being free unless made and kept so by the exertions of better men than himself. (Klaus Wiwel 2004)

Chief purpose:

According to the liberals, freedom of speech and press had several purposes. One of the debaters quoted Kant for the following opinion: Freedom of speech is necessary for critique; without critique no development; without development no enlightenment; and without enlightenment we will

continue in self-inflicted slavery (Juul Nielsen 2004 B). Some debaters found that freedom of speech and press made it possible for people to know their fellow beings (Høy 2004), and others emphasized the ability to provoke discussions. Liberal member of Parliament Birthe Rønn Hornbech (2004) wrote about *Submission*:

Of course the film was provoking. It was probably exactly the intension of the artist to raise a debate about Islam and suppression of women through his provocations in a way that would affect anyone who saw the film. That is exactly what we have artists for.

Who has the right to use media?

Everyone had the right to participate in the debate, but they might have to pay for their own media.

How are media controlled?

The media should be controlled by the judicial system.

What is forbidden?

Without entering into details, the debaters speaking from this position accepted that society had criminal laws that restricted freedom of speech, but

in general they did not support the law against blasphemies. Sønderup (2004) wrote about the issue of blasphemy:

According to the norms, religious people have a right to proselytize and to spread their doubtful scriptures and restrictive rules of life. But how about the rights of non-believers? If it is not allowed to critique, satirize and deride religious texts and norms because it is considered blasphemous, do we then have freedom of speech at all?

In order to be considered a worthy debater among liberals one should accept the democratic principles that among other things meant that debaters were not allowed to use violence or to encourage violence against people or people's legitimate rights. Because democracy and freedom of speech were considered legitimate rights, it was not allowed to encourage violence against democratic institutions - violence could only be used in defense of democracy (Juul Nielsen 2004 A).

People speaking from this position did not want restrictions in the formats used in the debates and did not only oppose theocratic thinking but also cultural relativism. Mikkelsen (2004) wrote that tyranny starts with the

language; it starts when people are asked to use another word in order not to offend others, and he considered that unproductive.

Former Editor-in-Chief Sven Ove Gade (2004) wrote:

A wise man distinguished many years ago between tolerance and liberalism. Tolerance is a passive acceptance of the fact that the opponent has another opinion. Liberalism on the other hand is active; because one is convinced he is right. The opponent may have a different opinion, but one fights for one's own opinion ... The threat from Islamism requires direct fight in the name of liberalism.

Essential difference from others?

The press and other media were seen as forums for exchange of ideas and opinions expressed in any non-violent format about everything - restricted only by criminal law. The people speaking from this position expressed willingness to fight for their freedom and they showed no tolerance toward people who tried to restrict their freedom or to destroy democracy. People were free to practice religion, but religions had no privileged position that could limit critique. Liberals were primarily arguing against religious fundamentalists, extremists and cultural relativists.

Social Responsible

*Historical roots mentioned*⁴ Professional standards and the lessons learned from conflicts where the press had been used for propaganda resulting in ethnic violence and homicide (Teller 2004).

Chief purpose:

The press was seen as forum for discussions. Journalist Michael Jarlner (2004) wrote about the need to discuss the problems of society openly:

The murder was a reminder that there also in Europe can be found a religious extremism which we must deal with.... At home critics of Islam - some of them Muslims themselves - have told about threats and violent attacks on them, and schools and others have reported about a hardened climate that makes it difficult or even dangerous to discuss Islam openly.

It is deeply worrying, because it is an attack on the freedom of speech which ought to be a hallmark of our modern democracies. Even if we do not like the opinions expressed, it is our right to be able to discuss the issues freely and openly without fear of threats.

Who has the right to use media?

⁴ In Denmark this position was reflected in the public broadcasting system, the Danish Media Liability Act and the Press Council: www.pressnaevnet.dk

Everyone who had something to say was not only allowed to participate but was also expected to do so (Teller 2004)

How are media controlled?

The law described the restrictions on freedom of speech and press, and offenses could be brought to court. Unethical behavior by the press could be brought to the Press Council, and society as a whole was expected to work for a responsible press (e.g. Teller 2004).

What is forbidden?

Prime Minister Anders Fogh Rasmussen (2004) told reporters:

A community governed by law has three loopholes for people who feel injured by the free debate. The criminal code has paragraphs dealing with defamation, racism, and blasphemy ... The law is primarily meant to hinder campaigns against religious groups.

Debaters speaking from this position found it dangerous to suppress the opinions of people, but the debaters should avoid making, for example, all Muslims responsible for extremist terror (Jarlner 2004).

Essential difference from others?

These debaters differed from the liberals in their insistence on social responsibility and ethical standards for the press, and they differed from the cultural relativists in their belief that such ethical standards should be applied universally.

Religious-minded democrat

Historical roots mentioned: Philosophies of the Enlightenment that emphasized the importance of science and of people using their own reason rather than religion and tradition as arguments. It reflected continuing political discussions in Europe regarding the influence of religion on state affairs. The debaters - including Muslims, Christians and Jews - speaking from this position accepted without hesitation that the democratic system and not the Holy Scriptures was the foundation for government, and they considered freedom of speech a universal right (Amirpur 2004). At the same time they referred to humans in general as religious beings and wanted more respect for religious feelings in state affairs.

Chief purpose:

The media were used as a forum for discussing problems and solutions related to religious life in a secular, democratic world with other religious-

mindful democrats and with debaters representing the other positions. Critique was seen as valuable in an effort to integrate immigrants from many different cultures (Mishra 2004).

The media were also used to discuss modern / moderate / reformist interpretations of the Holy Scriptures and to share personal experiences such as pressure / death threats from fundamentalists, or the lack of respect for holiness that non-religious people expressed.

Who has the right to use media?

Everyone who had something to contribute to the debate and sharing of ideas ought to be allowed access. However, Muslims speaking from this position were generally frustrated by the huge media attention that fundamentalists received because it created an image of Muslims in general that they could not identify with. They proposed that the media more often used moderate Muslims as sources (Jensen 2004).

How are media controlled?

Democratically elected parliaments should make the laws regarding the media and freedom of press and speech. The courts would then decide if

the media broke the law. Many Muslims within this group felt threatened by Islamic extremists (Vinter Olesen 2004).

What is forbidden?

People expressing themselves from this position had religious beliefs, and most of them supported the existing law against blasphemy even though the law had not been used for decades. They showed respect for other people's religious feelings, but there were no limitations regarding the right to discuss other religions as long as it was done in a serious and respectful manner.

Essential difference from others?

People speaking from this position supported the existing law regarding blasphemy as the social responsible did, but their arguments were religious while the arguments of the social responsible were communitarian in nature.

Cultural relativist

Historical roots mentioned: The lessons learned from the Nazi propaganda in the 1930s and from the Holocaust (Ayaan Hirsi Ali in Vermeulen 2004) and in a historical perspective from the Enlightenment (Olsen 2004).

Ann-Claire Olsen (2004), associate professor, wrote about cultural relativism that it contained the insight that all human thinking and acting is dependant on culture:

Only this view makes it possible to look beyond one's own cultural glasses, not in order to reject one's own values and understanding of life but in order to view others from an objective point of view as equally proper.

Chief purpose:

Dialogue between people from different cultures and with different beliefs.

Tolerance was a signifying word used by most Danish commentators speaking from this position. However, tolerance was always used in connection with the "others," such as Muslim immigrants or people living in non-Western countries, and no tolerance was expressed toward European liberal opponents.

Who has the right to use media?

All who understood and accepted the code of ethics applied by the supporters of cultural relativism. The analyzed debaters were mostly ethnic

Danes correcting other ethnic Danes for their lack of understanding and tolerance toward Muslim immigrants or for their way of debating.

The media were supposed to show responsibility when selecting news sources and commentators. According to some cultural relativists, the media ought, for example, to limit the use of Muslim fundamentalists and extremists as sources because the opinions of these people provoked nationalism and stigmatized Muslims in general. As long as the press allowed different extremist groups to express their opinions in the media, they were indirectly responsible for the racist violence that might follow and which could escalate into genocide (Eriksen 2004).

How are media controlled?

By correcting those who did not follow the ethics of cultural relativism and sometimes by exposing their opponents to scorn or ridicule. As an example

Politiken (2004) in an editorial comment wrote about the prime minister:

To defend freedom of debate including provocations is an important part of broad-mindedness. However, so is it to show tolerance for people and views which only a few Danes have great appreciation for....The Prime Minister chooses the easy solution when he fights for values which

most people agree with. He would look better if he also showed that the Danish society has room for differences.

What is forbidden?

Because one must view other cultures as equally proper, it was considered inappropriate to use one's own culture as a measurement and on that basis describe, for example, the Muslim culture as backward or medieval (Olsen 2004). Editor in chief of *Politiken* Tøger Seidenfaden (2004) wrote:

Even though politics fairly enough deals with conflicting interests and values, it becomes deadly dangerous if we make conflicts between large groups of people divided on the basis of religion, race or nationality our chief concern.

Most of the debaters suggested standards for the form of discussion. The debaters were not allowed to expose their opponents from other cultures to scorn or ridicule; they should show tolerance and refuse all forms of absolutism (Olsen 2004). It was also considered inappropriate to ask too harsh questions to representatives of the "others" (Ellegaard 2004 B).

Essential difference from others?

Cultural and religious conflicts were to be downplayed. Tolerance toward the "others" was the main promoted value. The rationale was to some degree based on a fear that total freedom of speech could lead to the clashes of civilizations described by Samuel Huntington (1993) and even to genocide and that it was possible to avoid such clashes if everyone showed respect for other cultures. However, this implied several restrictions on press freedom because the content had to be respectful and not judgmental, the form should not provoke members of other cultures, and the sources should be selected carefully in order to support the image of other cultures as equally proper.

Fundamentalist

Historical roots mentioned: In the analyzed material sources referred to the norms for debates provided by the Quran and the practice of the prophet Muhammad as an ideal (Khankan 2004; Tønnsen 2004; Ellegaard 2004 A). The debaters expressed a philosophy of absolute submission to Holy Scriptures. Humans were not allowed to question or to interpret the Holy Scriptures in the light of modernity but must submit to the literal content. As an example, Muslims could not choose to do without the Muslim law

Sharia, but must take "the whole parcel" as stated by the Danish imam Ahmed Abu Laban (Abu Laban 2004). Fatima Shah (2004), a Social Democrat, member of the local council in the Copenhagen suburban Herlev, said:

Islam is above democracy I am practising Muslim, I support the Sharia-law, and I believe the laws of Islam are above the democratic community

Chief purpose:

To support and advance the religious as well as the political system suggested by the Holy Scriptures. Debates in the media about other issues than religion were seen as healthy. Sherin Khankan (2004), chairman of the organization Critical Muslims, wrote that we needed critical voices because they helped us develop our understanding of how we ought to behave. As an example, she mentioned that it is legal and healthy to discuss the preconditions and limits of freedom of speech. Like other fundamentalists, she argued for restrictions on press freedom when it came to religious issues.

Who has the right to use media?

Anyone ought in principle to have access to the media, but because freedom of speech was subdued to Holy Scriptures and every issue had to be argued in the light of the Holy Scriptures, religious scribes were considered better qualified. Believers with a modern interpretation of the Holy Scriptures were supposedly considered infidels and often threatened not to take part in the public debate (Fatima Shah 2004; Vinter Olesen 2004). There were requirements to the form that the debaters should use. Omar Shah (2004) discussed the requirements to and limitations in freedom of speech:

There is first and foremost a clear difference between taking part in a debate and provoking or offending. Many provocateurs hide under the protection of freedom of speech. However, while serious debaters put light to problems and try to suggest constructive solutions, provocateurs and demagogues are not interested in solutions, but will try to add fuel to the fire in order to make an escalation that can make their prophecy come true.

While the individual might be punished for unholy statements, there was not a moral requirement to express one's opinions or to distance oneself

from crimes done by other Muslims in the name of Islam even if the religion was misused by criminals. If a Muslim kept quiet, it was not a sign of support for the criminal behavior (Tønnsen 2004; Khankan 2004).

How are media controlled?

The Danish law prohibited racism, blasphemy and libel, and Muslims preferred to use the legal system (Abu Laban 2004), but some frustrated Muslims found that they could only stop "propaganda" like *Submission* through the "street parliament", by which they meant violence (Omar Shah 2004; Ellegaard 2004A). The media were as a consequence controlled indirectly by threatening the sources and - if that was not sufficient - violence. In a television program called *Dags Dato* on the public broadcast station TV2, Fatima Shah (2004) explained why Hirsi Ali was forced to live in hiding:⁵

When she gives an extreme statement, an extreme condescending toward Muslims, then she knows that it will provoke so many people that she will probably not be able to walk peacefully in the streets. Maybe some one will go to her and shake her. She may be attacked. One may say it was her choice. She knew ahead that it would have consequences.

⁵ Further information about the program: <http://nyhederne.tv2.dk/dagsdato/list.php>. She was interviewed November 2004.

Other fundamentalists said that the Quran prohibited violence against infidels. The infidels would be punished on doomsday (Sert 2004).

What is forbidden?

According to Khankan (2004), freedom of speech was provided by God long before humans defined it, but Muslims did not value freedom of speech higher than the holiness of the Quran. When discussing the Quran or the life of the prophet Muhammad, Muslims used a special respectful and devoted tone and ethics called *adab*⁶, and it was not appropriate for infidels to criticize the Quran, the Islamic laws, or the lifestyle of the prophet Muhammad.

With reference to *Submission* Omar Shah (2004) explained what provoked fundamentalist Muslims and made the film unacceptable: 1) The film insulted something considered holy; 2) The use of monologues to Allah and the quotes from the Quran made it clear that it was Islam / Allah that was being criticized and not men with Muslim cultural roots. The film indicated that there was a relationship between violence against women and the religion, which was not true; so the film was not true; 3) To show a more or less naked woman communicate with God was an offense.

⁶ More information about *adab* can be found on http://www.masud.co.uk/ISLAM/nuh/adab_of_islam.htm

Essential difference from others?

People speaking from the fundamentalist position referred to the Holy Scriptures and the lifestyle of the Prophets as normative.

Nationalist

Two journalistic sources were categorized as nationalists. They were ordinary citizens in Holland. They supported the murdered sociology professor Pim Fortuyn (1948-2002), who was a leader of the popular Dutch anti-immigrant party Lijst Pim Fortuyn, and they supported van Gogh. They were not racists, but they no longer thought that democratic measures were enough to control the criminal activities of some immigrant groups. They did not mind expressing themselves to journalists, but they did not talk about press philosophy.

There seemed to be a gradual increasingly segregation in the secular spectrum from the *liberals* who wanted to fight for their ideas and considered others equally able to fight for their own ideas within a democratic system; to a tolerance with other cultures among the *relativists*, who avoided conflicts with others; to *nationalists*, who preferred the total separation of cultures.

Theocratic extremist

Two news sources were placed in this category. They were both ordinary Danish Muslims, who hated the Danish society. One of them refused to talk to media because they never wrote anything right and the other talked about how she hated the Danish society and wanted to fight against it. No commentators wrote from this position, but other commentators and sources referred to the religious extremists whose supporters communicated on the Internet, through other non-journalistic media and through terror actions.

Nazi

Neither commentators nor journalistic sources expressed themselves from this position in the debate, but other commentators and sources referred to Nazis and especially to the role this ideology played in German's history and to its propaganda against Jewish people prior to World War II.

News Sources and opinion writers

A total number of 173 different individuals were quoted as sources in the news reports, and some of them were used in more than one story. Figure 5

shows how many percent of the sources that was categorised as belonging to each position.

Many of the sources speaking from the liberal position were university professors and other experts, who were primarily used to explain the rules of the game in a liberal democracy. Among the liberal sources were also government officials defending the existing freedom and writers and artists refusing to submit to theocratic thinking.

People speaking from the social responsible position were primarily politicians, scholars and media leaders. Many of their statements reflected the arguments of the Commission on Freedom of the Press (1947), but they did not mention the commission or its publications.

Among the fundamentalist sources, an influential group consisted of imams and other spokespeople within the Muslim society. The sources quoted most were fundamentalists like Imam Ahmed Abu Laban (16 articles) and Imam Fatih Alev (13 articles). However, journalists also quoted 32 "ordinary people," e.g., people in shops and schools in immigrant areas, and the majority of them expressed fundamentalist views.

The group of religious-minded democratic sources consisted of Muslims as well as Christians and others. A request for more moderate Muslim sources in the media was expressed especially from religious-minded democrats and from cultural relativists.

Sources in an average news story

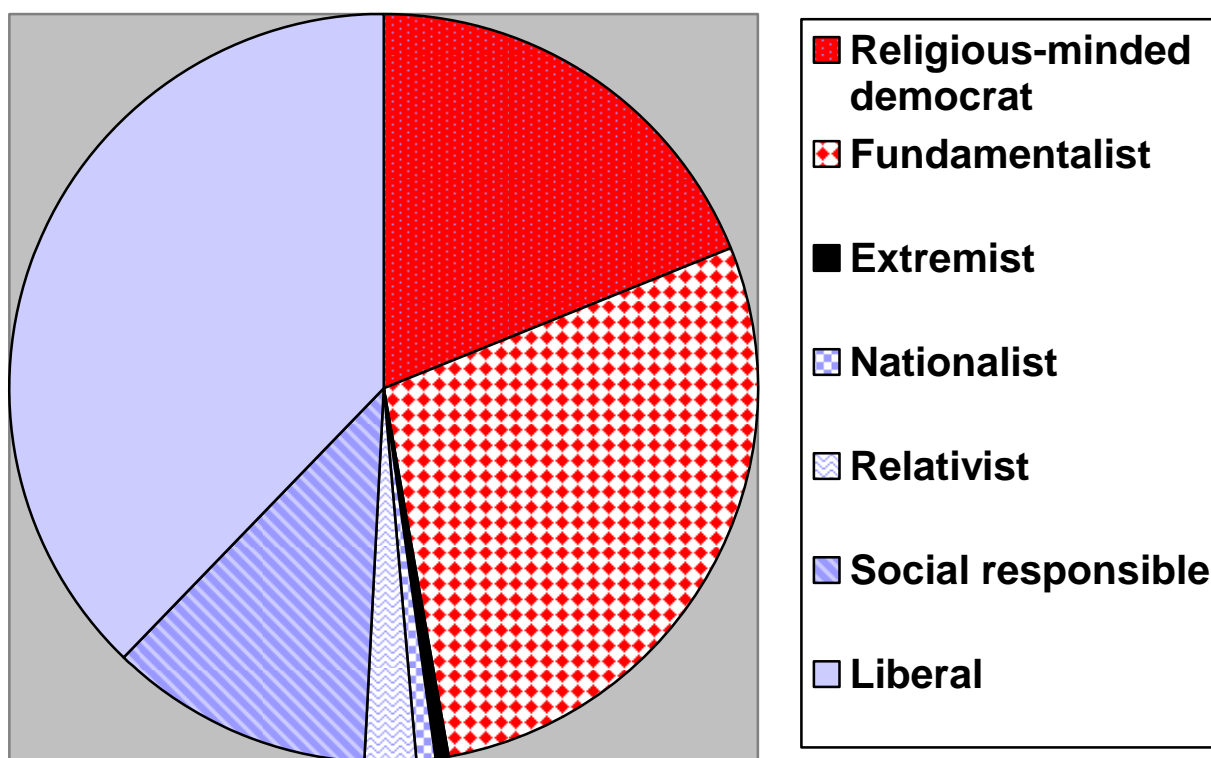


Figure 5: Sources in an average news report. This figure shows how each position weighted in the debate in terms of the sources. There were 173 individual sources, some of whom appeared in more than one article (n=256).

If we compare the position of sources used in news articles with the position of people who wrote commentaries such as letters to the editors, editorial comments or writers' columns, the difference is striking.

Opinion writers

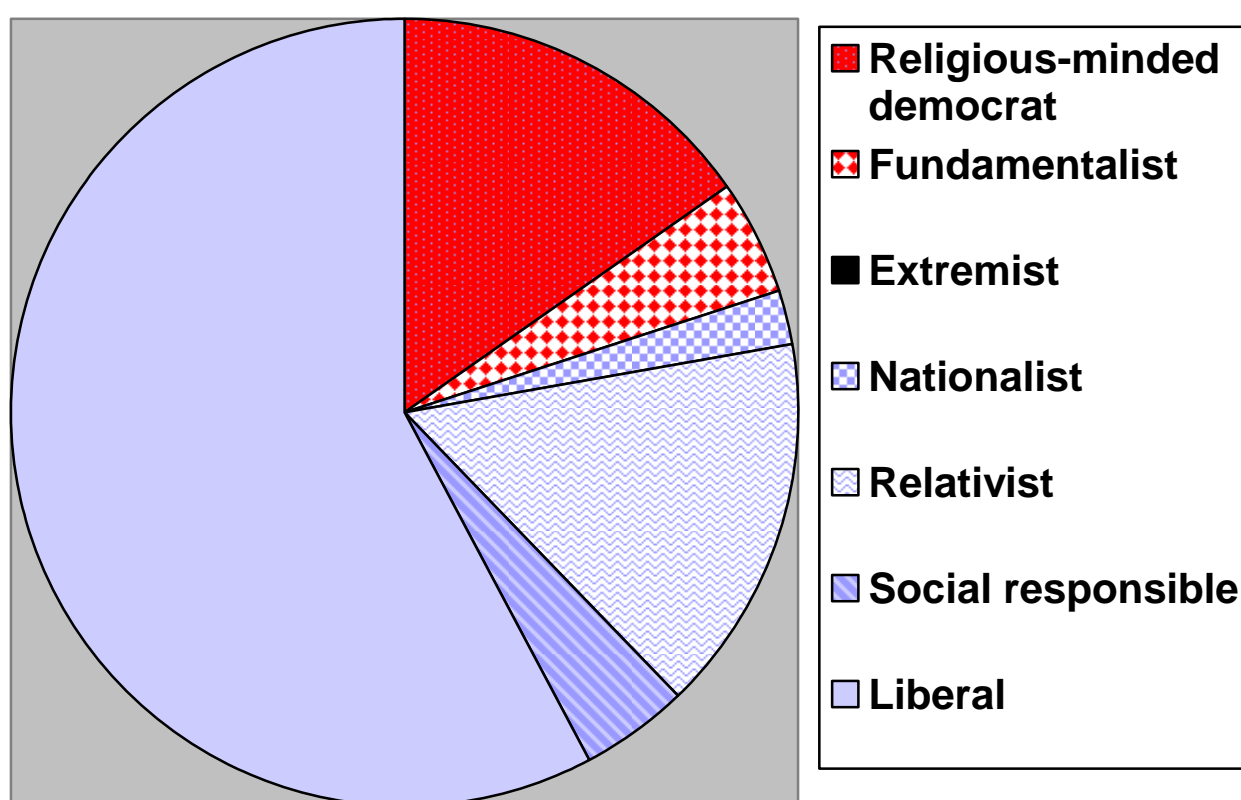


Figure 6 Position of opinions writers including editors' comments, writers' columns and letters to the editor. A total of 85 individuals had their opinions published. A few wrote more than one comment bringing the total number of comments up to 94, but each writer is only counted once in this figure (n=85).

Liberal opinion writers dominated the debate. Cultural relativists and religious-minded democrats were active, while there were only a few fundamentalists among the opinion writers.

The material was limited, but based on the data one might get the impression that it was primarily the political and intellectual elite who engaged themselves in the fight for freedom of press and speech.

Final remarks

The fight for press freedom in Europe started as a fight for the right to express and discuss religious opinions. Since there were very close ties between political and religious powers, any religious critique could threaten the power foundation of the European monarchs. That was especially true with the Protestant critique of Catholicism because Protestants insisted on a direct relationship between the individual and God. If everyone could read and interpret the Holy Scriptures, if their sins could be forgiven without the help of intermediating priests, if God had not placed the pope as his representative on Earth and had not empowered him with the rights to appoint monarchs in the name of God, then there were no theological argu-

ments for theocracy or for sovereign monarchies by the grace of God. No wonder that the priesthoods and monarchs of the seventeenth century were scared and tried to stop such ideas from spreading through printed material.

However, dissidents fought for their right to print their own religious interpretations and for the right of all citizens to participate in discussions about public affairs. The dissidents won, and that's why for several decades European countries like England, Holland and Denmark have had freedom of speech and print. Today's "dissidents" and minority groups such as Muslim immigrants enjoy naturally the same right to freedom of speech and press as the majority.

Daniel Defoe and Theo van Gogh were both liberals fighting for human freedom and dignity, and they both used the means of communication available to them. They both provoked the public with their style. None of them can be said to submit to the "political correctness" of their time, and many were offended by their creative endeavors.

However, they were faced with very different types of enemies. Daniel Defoe's enemies were the authoritarian leaders of the time. The monarchs

and Parliament were clearly identified institutions with laws. Police forces and a judicial system that may not have been fair but which at least had to produce indictments listened to defenses of the accused and argued for the sentences.

The suspected assassin of Theo van Gogh was - according to press reports - member of a criminal network, which had been involved in a number of terrorist activities in Europe and the Middle East and which had connections to the terror organisation al Queda (Peter Wivel 2004).⁷ According to Ayaan Hirsi Ali, the assassination followed publication of his photo on an Islamic homepage, where he was called, e.g., an evil infidel (Ali 2004). Several writers, including Ali, felt threatened by extremist groups and Ali lived in hiding protected by police for fear that the death sentence would be executed (Vermeulen 2004; Ali 2004; Vinter Olesen 2004).

The public did not know for sure how the dangerous extremists were organized, if organized at all; who the dangerous extremists were or how to identify them, before they had executed their sentences. People accused by

⁷ It may be relevant to note that International Humanitarian Law prohibits all acts aimed at spreading terror among the civilian population; attacks on civilian and civilian objects; and indiscriminate attacks in situations of armed conflict (ICRC). Acts of terror in peacetime are considered a crime (Gasser 2002).

such groups / networks / brotherhoods / movements / deranged individuals had no rights to defense and received no official indictments. However, the arguments for the sentences were sometimes published. As was the case with Theo van Gogh (Peter Wivel A 2004), the arguments included sometimes of quotes from Holy Scriptures.

As this study shows, there were in democratic countries like Denmark fundamentalists who on one hand condemned the murder of Theo van Gogh while on the other understood the feelings of the murderer. They explained the laws of the extremists and advocated for restricted press freedom as a respect for believers and in order not to provoke violence and murder from religious extremists (see "fundamentalist" for references).

Liberals were not discussing directly with religious extremists but with two distinctly different groups of opponents that both wanted to limit freedom of press on religious issues if not by law then by ethics. The two groups argued for limitations on the basis of two distinctly different logics. Fundamentalists build their arguments on religious texts; cultural relativists build theirs on communitarian thinking.

Fundamentalists and cultural relativists agreed on a number of statements like the need to understand the Muslims and their frustrations with the Western society. Both group argued for the right of Muslims to practice their religion and chose their own lifestyle. They insisted on respect for Muslims, and they criticized nationalists and liberals alike for their provoking critique of Muslim lifestyle.

On the face of it, fundamentalists and cultural relativist seemed to understand each other very well. However, a more detailed analysis showed that fundamentalists used this discourse to defend their own rights while the cultural relativists used this discourse to argue for tolerance of people from cultures for which most Europeans have little sympathy. Cultural relativists criticized liberals and nationalists belonging to their own culture while fundamentalists criticized the "others" and never their own group. Cultural relativists feared a crash of civilizations and argued for tolerance from a humanistic viewpoint while fundamentalists argued from a theocratic viewpoint and did not show any signs of tolerance with "others".

Social responsible and religious-minded democrats supported the liberal struggle for press freedom and freedom of speech and were only asking for

some minor ethical codes that would protect human dignity from hate speech and religious feelings from blasphemy, but not limit critique of lifestyles or discussions of religious interpretations.

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